IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 7TH JULY 2006 / 16TH ASHADHA,1928

Bail Appl..No. 4093 of 2006

(CRIME NO.309/2005 OF MUKKAM POLICE STATION)

PETITIONER/5TH ACCUSED:

C.M. MOHAMMED IQUBAL, S/O.ABDULLAH,
M.P. HOUSE, PACHATTIRI P.O., TIRUR TALUK,
MALAPPURAM DISTRICT.

BY ADV. SRI.SAJU.S.A

RESPONDENTS: COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR T.K. KUNHABDULLA

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/07/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A.4093/2006

DATED THIS THE 7TH DAY OF JULY, 2006

O R D E R

The petitioner is the sixth accused, in crime No.309/2005 of Mukkam Police Station. The offence alleged against him are under Sections 324, 294(b), 308 and 120B IPC read with Section 34 IPC.

2. The learned counsel submitted that the petitioner is a practicing lawyer. He is the legal advisor of the first and fourth accused. The learned Public Prosecutor submitted that he had not received the complete instructions and therefore, he is unable to say the part of the conspiracy, played by the petitioner, and also his involvement in the occurrence, as a conspirator.

3. In view of the above facts, I direct the petitioner to appear before the competent Magistrate Court and move an application for bail. The learned Magistrate shall consider the application, and pass appropriate orders, on the same day itself.

4. If no application for the police custody is sought for by the Prosecution, the learned Magistrate shall release him on bail, imposing such conditions, as are deemed necessary.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs